

#349  
1 BILL NO. G-88-07-22

2 GENERAL ORDINANCE NO. G- 25-89.

3 AN ORDINANCE amending the Thoroughfare  
4 Plan of the City Comprehensive ("Master")  
5 Plan by vacating dedicated right-of-way thereof.

6 WHEREAS, a petition to vacate dedicated right-of-way  
7 within the City of Fort Wayne (as more specifically  
8 described below) was duly filed with the City Planning  
9 Commission; and

10 WHEREAS, said Commission duly held a public hearing  
11 thereon; and

12 WHEREAS, said Commission has duly forwarded its  
13 recommendation to this body approving said petition, all in  
14 accordance with I.C. 36-7-4-512(2) and this body having held  
15 a public hearing on said vacation as provided in I.C. 36-7-  
16 4-12; and

17 WHEREAS, this body concurs in the recommendation of the  
18 City Planning Commission.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
20 THE CITY OF FORT WAYNE, INDIANA:

21 SECTION 1. That the petition filed herein to vacate  
22 dedicated right-of-way within the City of Fort Wayne, more  
23 specifically described as follows, to-wit:

24 That part of Penmoken Drive which lies North of  
25 the North right of way line of Aylesford Drive, in  
26 Lake Shores, Section II, the plat of which is  
27 recorded in Plat Book 25, pages 70-72 in the  
28 Office of the Recorder of Allen County, Indiana.

29 and which vacating amends the Thoroughfare Plan of the City  
30 Comprehensive ("Master") Plan and is hereby approved in all  
31 respects.

32 SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage, any and all necessary  
approval by the Mayor.



#349

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*Charles B. Ridd*  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

*J. Timothy McCaulay*  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

\*\* Public hearing to be held on \_\_\_\_\_,  
the \_\_\_\_\_ day of \_\_\_\_\_, 1988,  
in the Council Chambers.

Sandra E. Kennedy, City Clerk

FOX RIVER BOND  
25% COTTON



Read the first time in full and on motion by Redd, seconded by Long, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 7-12-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Henry, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>9</u>	_____	_____	_____	_____
BRADBURY	<u>✓</u>	_____	_____	_____	_____
BURNS	<u>✓</u>	_____	_____	_____	_____
<del>Edwards</del>	<u>✓</u>	_____	_____	_____	_____
<del>Ciuchinta</del>	<u>✓</u>	_____	_____	_____	_____
<del>Diaberto</del>	<u>✓</u>	_____	_____	_____	_____
HENRY	_____	_____	_____	_____	_____
LONG	<u>✓</u>	_____	_____	_____	_____
REDD	<u>✓</u>	_____	_____	_____	_____
SCHMIDT	<u>✓</u>	_____	_____	_____	_____
<del>SEER</del>	_____	_____	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 12-12-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 12-25-89, on the 12th day of December, 19 89,

ATTEST:

SEAL

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Charles S. Redd  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 19 89, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of December, 19 89, at the hour of 8:00 o'clock A.M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

RECEIPT

No 2780

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 5-30 1988

RECEIVED FROM E + N \$ 100.00

THE SUM OF one hundred + 00/100 DOLLARS

ON ACCOUNT OF vac of portion

pen money

AUTHORIZED SIGNATURE



Date Filed: May 20, 1988

Vacation Petition

I/We Zohrab K. and Naomi C. Tazian, husband and wife  
(Applicant's Name or Names)

PETITION TO VACATE a part of Penmoken Drive  
(Street, Alley, Utility Easement, Plat,

Other)

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following street with the City of Fort Wayne, Indiana, and hereby described as follows:

That part of Penmoken Drive which lies North of the North right-of-way line  
Aylesford Drive, in Lake Shores, Section II, the plat of which is recorded  
in Plat Book 25, pages 70-72 in the Office of the Recorder of Allen  
County, Indiana.

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

1. Petitioner owns all property adjacent to the proposed vacation.
2. The street is not necessary as ingress-egress to other properties
3. whatsoever.
3. The street is unopened and unimproved.
4. The vacation would promote more orderly development in this area.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner(s) pray that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 20th DAY OF May 19 88

Zohrab K. Tazian  
Adjacent Property Owner  
Typed Name

11224 Kings Crossing  
Address Fort Wayne, IN 46825

Zohrab K. Tazian  
Signature

Naomi C. Tazian  
Adjacent Property Owner  
Typed Name

Same  
Address

Naomi C. Tazian  
Signature



## RESOLUTION

WHEREAS, ZOHRAB K. AND NAOMI C. TAZIAN have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of a portion of dedicated street in Fort Wayne, Allen County, to-wit:

That part of Penmoken Drive which lies North of the North right of way line of Aylesford Drive, in Lake Shores, Section II, the plat of which is recorded in Plat Book 25, pages 70-72 in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-12.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 18, 1988 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of street.

WHEREAS, said vacation of a portion of dedicated street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of a portion of dedicated street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of a portion of dedicated street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.


BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of street in Allen County, Indiana.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held July 25, 1988, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 9th DAY OF November 1989

FORT WAYNE CITY PLAN COMMISSION

  
Robert Hutner  
Secretary



RESOLUTION 78-140-5

WHEREAS, ZOHRAB K. AND NAOMI C. TAZIAN have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of a portion of dedicated street situated in Fort Wayne, Allen County, to-wit:

That part of Penmoken Drive which lies North of the North right of way line of Aylesford Drive, in Lake Shores, Section II, the plat of which is recorded in Plat Book 25, pages 70-72 in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a portion of dedicated street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of dedicated street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of dedicated street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, Michael McAlexander, <sup>member</sup> ~~Director~~ of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held November 15, 1989 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 15<sup>th</sup> DAY OF November 1989

FORT WAYNE BOARD OF PUBLIC WORKS

Charles E. Layton  
Director of Public Works

Michael McAlexander  
Director of Public Safety

Douglas M. Lehman  
Director of Administration & Finance



**FACT SHEET**

G-88-07-22

BILL NUMBER

**Division of Community  
Development & Planning**

BRIEF TITLE

Street Vacation Ordinance

APPROVAL DEADLINE

REASON

**DETAILS**

Specific Location and/or Address

Portion of Penmoken Drive

Reason for Project

Future development of land.

Discussion (Including relationship to other Council actions)

18 July 1988 - Public Hearing

Z K Tazian, owner and developer, stated that this vacation was in conjunction with the development of a 10.2 acre parcel to the north of this requested vacation. He stated that he agreed to request the vacation of the strip of right of way after meeting with the neighbors in Lake Shores, Winterset and Winterset Square. He stated they want it vacated because it would block any future access from their neighborhoods into the proposed development to the north. He stated that if vacated he would use the adjacent two lots along with this strip of right of way for the development of three single family residences.

John Bowman, 912 Aylesford Drive appeared before the Commission. He stated that the neighborhood has met with Mr. Tazian several times in discussing the vacation and the proposed development of the land to the north. He stated that he felt he could speak on behalf of Lake Shores Addition, Winterset and Winterset Square in stating that they do not feel the access is needed and they would prefer residences in

**POSITIONS****RECOMMENDATIONS**

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/  
ProponentsApplicant(s)  
Z.K. Tazian  
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff  
Recommendation☒ For ☐ Against

Reason Against

Board or  
Commission  
Recommendation

By

☒ For ☐ Against  
☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)CITY COUNCIL  
ACTIONS  
(For Council  
use only)☐ Pass ☐ Other  
☐ Pass (as amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass



# DETAILS

this area rather than a road and there is no opposition to the vacation of Penmoken Drive.

There was no one else who wished to speak in favor of or in opposition to the proposed vacation.

25 July 1988 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation subject to the petitioner providing utility easement as required.

Of the nine (9) members present, eight (8) voted in favor of the motion, one (1) did not vote.

Motion carried.

NOTE: This ordinance has been held until the petitioner submitted a "Grant of Easement" to the Water Pollution Control Engineering Department. The easement was received November 3, 1989.

## POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 20 May 1988

Projected Completion or Occupancy

Date 8 November 1989

Fact Sheet Prepared by

Patricia Biancaniello

Date 8 November 1989

Reviewed by

*Ramy Nagliozzi*

Date 11-17-89

Reference or Case Number



#349 ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE That part of Penmoken Drive which lies North of the  
North right-of-way line of Aylesford Drive, in Lake Shores  
Section II.

EFFECT OF PASSAGE Property is presently dedicated right-of-way. Property will  
be vacated and revert to the use of the adjacent property  
owners.

EFFECT OF NON-PASSAGE Property will remain dedicated right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))



BILL NO. G-88-07-22

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON  
DAVID C. LONG, VICE CHAIRMAN  
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating  
dedicated right-of-way thereof  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
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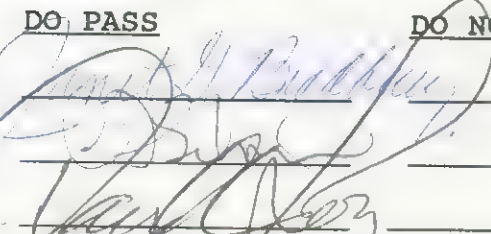
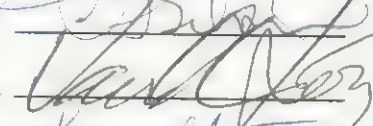


HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~) \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
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DATED: 12-12-88

Sandra E. Kennedy  
City Clerk



# Zohrab K. Tazian

11224 Kings Crossing  
Fort Wayne, Indiana 46845

November 29, 1989

Ms. Sandra Kennedy  
City Clerk  
City of Fort Wayne  
One Main Street  
Fort Wayne, Indiana 46802

REFERENCE: Bill No. G-88-07-22  
Partial Vacation of Penmoken Drive

Dear Ms. Kennedy:

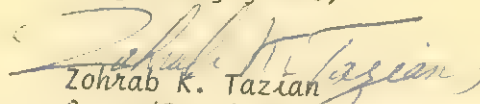
I have been notified that the City Council will be holding a public hearing on the above captioned matter on December 12, 1989.

I will be traveling abroad on that date and will be unable to attend the hearing. As you know, this vacation is in conjunction with a development that I am undertaking on Winchester Road North of Lake Shores Addition. The vacation also has the support of the Lake Shores and Winterset Associations. There was no opposition to the petition to vacate at the Plan Commission public hearing. The Plan Commission passed the resolution with nine (9) members present by eight (8) votes in favor and one (1) member not voting. All requested easements have been provided to the requesting utilities.

Because of the non-contraversial nature of this request, I ask that this letter be placed in the record in lieu of my representation at the hearing.

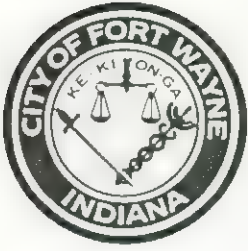
Thank you for your cooperation in this matter.

Very truly yours,

  
Zohrab K. Tazian  
Owner/Developer

ZKT:d6





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full  
November 24, 1989, in both the  
Journal Gazette.

RE: Legal Notice  
of Fort Wa

Bill No. ( )  
Street Vaca

Please send us 3 copies of the  
from both newspapers.

Thank you.

Sir,

*Sandra E. Kennedy*

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-88-07-22)

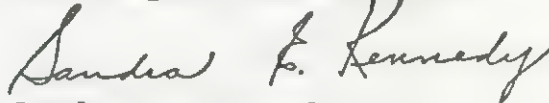
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, December 12, 1989, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:

Portion of Penmoken Drive - Future development of land-Councilmanic District #5

That part of Penmoken Drive which lies North of the North right of way line of Aylesford Drive, in Lake Shores, Section II, the plat of which is recorded in Plat Book 25, pages 70-72 in the Office of the Recorder of Allen County, Indiana

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

A handwritten signature in cursive script, reading "Sandra E. Kennedy".

Sandra E. Kennedy  
City Clerk





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

November 21, 1989

Mr. Zahrab Tazian  
11224 Kings Crossing  
Fort Wayne, IN 46825

### NOTICE OF PUBLIC HEARING ON BILL NO. G-88-07-22

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, December 12, 1989, at 7:00 P.M., E.S.T. in the Common Council Conference Room 128, 1st Floor, City-County Building, Fort Wayne, Indiana, on the following:

Portion of Penmoken Drive - Future  
development of land - Councilmanic  
District #5

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

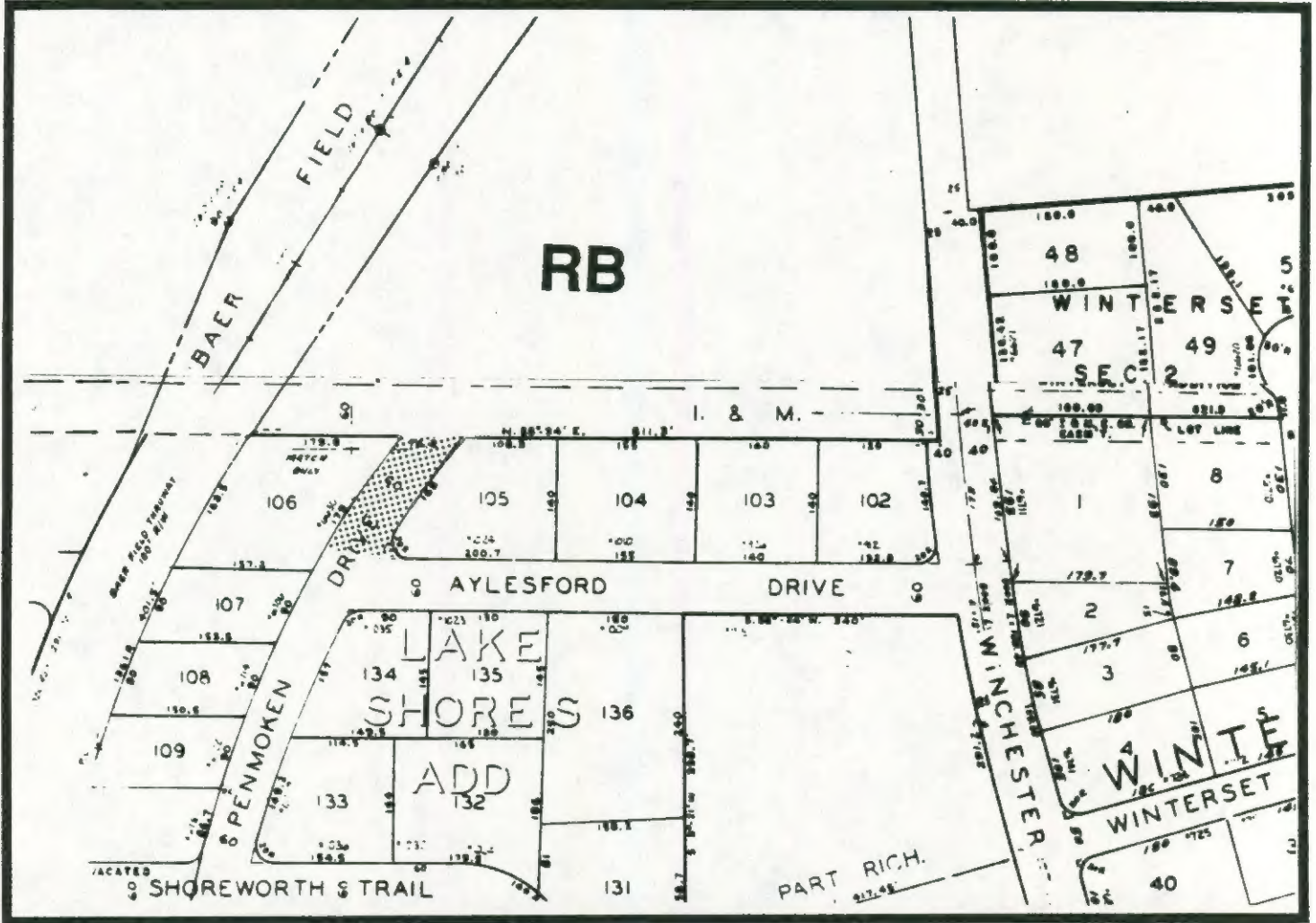


#349

**A PETITION TO VACATED THE DESCRIBED PUBLIC STREET.**

MAP NO. L-27

**COUNCILMANIC DISTRICT NO. 5**



## ZONING:

**RB RESIDENCE "B"**

## LAND USE:

☐ SINGLE FAMILY

**SCALE: N.T.S.**

**DATE: 6-3-88**





Fort Wayne Common Council  
(Governmental Unit)  
Allen  
County, Indiana

To: The News-Sentinel  
P.O. Box 100  
Fort Wayne, IN

Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

3

15

4

22

COMPUTATION OF CHARGES

22 lines, 1 columns wide equals 22 equivalent lines  
at .33 cents per line

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 7.26

1.00

\$ 8.26

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Nicole Allred

Clerk

Date: November 24, 19 89

Title:

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-88-07-22)  
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, December 12, 1989, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:  
Portion of Penmoken Drive - Future development of and-Councilmanic District #5  
That part of Penmoken Drive which lies North of the north right of way line of Aylesford Drive, in Lake Forest, Section II, the plat of which is recorded in Plat Book 25, pages 70-72 in the Office of the Recorder of Allen County, Indiana.  
All interested parties are invited to appear and be heard.  
Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time ( s ), the dates of publication being as follows:  
11/24/89

Nicole Allred

Subscribed and sworn to before me this 24th day of November, 1989.

Sherley R. Larue

Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1990



PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines	3
Body -- number of lines	15
Tail -- number of lines	4
Total number of lines in notice	22

COMPUTATION OF CHARGES

22 lines, 1 columns wide equals 22 equivalent lines  
at .33 cents per line \$ 7.26

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM \$ 8.26

DATA FOR COMPUTING COST

Width of single column 12.5 ems  
Number of insertions 1  
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: November 24, 19 89 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-88-07-22)  
is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, December 12, 1989, at 7:00 P.M. in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana more particularly as follows:  
on of Penmoken Drive - Future development of Councilmanic District #5  
part of Penmoken Drive which lies North of the right of way line of Aylesford Drive, in Lake Township, Section II, the plat of which is recorded in Plat 5, pages 70-72 in the Office of the Recorder of County, Indiana.  
Interested parties are invited to appear and be heard.  
Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time(s), the dates of publication being as follows:  
11/24/89

Subscribed and sworn to before me this 24th day of November, 19 89.

Shelley R. Larue  
Notary Public Whitley County, IN  
SHELLEY R. LARUE  
My commission expires: March 3, 1990